



**MINUTES OF THE MEETING OF THE
LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
JUNE 6, 2005**

1. CALL TO ORDER; ROLL CALL
THE LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY MET IN REGULAR SESSION, MONDAY, JUNE 6, 2005 AT 4:00 P.M. THE FOLLOWING MEMBERS WERE PRESENT: CHAIR LUPORINI, COMMISSIONERS DODD, KAY, WAGENKNECHT AND ALEXANDER (arrived at 4:13pm during Item #7a). ALTERNATE MEMBERS IN ATTENDANCE: COMMISSIONERS BLOCK, CRAIN (vacated seat at 4:20pm), AND KELLY (voted in at 4:39pm). ALTERNATE COMMISSIONER MOSKOWITE WAS ABSENT.
2. PLEDGE OF ALLEGIANCE
CHAIR LUPORINI LED THE SALUTE TO THE FLAG.
3. RECOGNITION OF SERVICE: Harry Martin
CHAIR LUPORINI PRESENTED FORMER COMMISSIONER MARTIN WITH A PLAQUE OF RECOGNITION FOR HIS LAFCO SERVICE FROM 1999 TO 2005. EXECUTIVE OFFICER DAN SCHWARZ PRESENTED MARTIN WITH A GIFT FROM CALAFCO FOR HIS SERVICE TO THAT ORGANIZATION.
4. APPROVAL OF MINUTES: APRIL 4, 2005
MEETING MINUTES OF APRIL 4, 2005 WERE APPROVED.

**APPROVED: W-K-L-D-B
A A**
5. PUBLIC COMMENT
NONE.
6. CONSENT CALENDAR
NOTE: ITEM #6A WAS PULLED FROM THE CONSENT CALENDAR BY THE COMMISSION AND VOTED ON SEPERATELY.
 - b) **Adoption of Calendar for July 2005 to December 2005 (Action)**
The Commission will consider scheduling regular meetings for August 1, October 3, and December 5.
COMMISSION ADOPTED THE CALENDAR FOR THE SECOND HALF OF 2005.
 - c) **Amendment to Professional Services Agreement with Cotton/Bridges/Associates (Action)**
The Commission will consider amending its agreement for staff support services with Cotton/Bridges Associates to extend the end date of the agreement by six months. No change is proposed for the financial component of the agreement.
COMMISSION APPROVED THE SIX-MONTH EXTENSION OF THE AGREEMENT TO DECEMBER 31, 2005.

**APPROVED CONSENT CALENDAR ITEMS 6b and 6c.
APPROVED: D-W-K-B-L**

6. a) **Revision of Fee Schedule (Action)**

The Commission will consider revising the LAFCO fee schedule. It is proposed that the fee schedule be revised to eliminate certain distinctions between proposals that are exempt under the California Environmental Quality Act (CEQA) and those for which the Commission shall act as a responsible agency using the adopted environmental determination of the land use planning authority.

THE COMMISSION ADOPTED THE REVISED FEE SCHEDULE. VOTE: W-D-B-L-K

7. **PUBLIC HEARING**

a) **Review of Alternate Public Member Position**

The Commission will consider whether it will take actions that may include the removal of the incumbent alternate public member. Should the Commission take such an action, creating a vacancy in an unexpired term, the Commission shall consider whether it shall act to appoint an alternate public member from among a list of qualified applicants established in March 2005 (Government Code §56325, 56331, 56334, and LAFCO's adopted *Policies Regarding the Positions of Public Member and Alternate Public Member*).

- **COMMISSIONER KAY RECUSED HIMSELF NOTING HE IS NOT ELIGIBLE TO VOTE ON THIS MATTER (AS THE REPRESENTATIVE OF THE GENERAL PUBLIC).**

- **CHAIR LUPORINI OPENED THE PUBLIC HEARING.**

- **THE COMMISSION DISCUSSED ISSUES CONCERNING THE APRIL 4, 2005 HEARING AND APPOINTMENT.**

- **THE COMMISSION VOTED TO CREATE A VACANCY IN THE SEAT, REMOVING BILL CRAIN.**

- **THE COMMISSION DISCUSSED AND ADOPTED A PROCEDURE TO MAKE ITS APPOINTMENT.**

- **THE FOLLOWING CANDIDATES WERE PRESENT AND SPOKE TO THE COMMISSION:**

**WENDY WARD
MELINDA MENDELSON
SALLY KIMSEY
WILLIAM CRAIN
BRIAN KELLY**

- **CHAIR LUPORINI CLOSED THE PUBLIC HEARING.**

- **CHAIR LUPORINI ASKED EACH COMMISSIONER TO NOMINATE AN APPLICANT.**

- **CANDIDATE BRIAN KELLY RECEIVED TWO NOMINATIONS. SALLY KIMSEY AND MELINDA MENDELSON EACH RECEIVED ONE. CHAIR LUPORINI ASKED FOR A SECOND TO ANY OF THE NOMINATIONS. COMMISSIONER ALEXANDER'S NOMINATION OF SALLY KIMSEY WAS SECONDED BY COMMISSIONER WAGENKNECHT.**

**VOTE: A-W-D-L
N N**

7. PUBLIC HEARING continued: **Review of Alternate Public Member Position:**

CHAIR LUPORINI'S NOMINATION OF BRIAN KELLY WAS SECONDED BY COMMISSIONER DODD. VOTE: AIF: W-D-A-L

- **NEWLY APPOINTED COMMISSIONER KELLY WAS INVITED TO JOIN THE COMMISSION FOR THE REMAINDER OF THE MEETING.**
- **STAFF DIRECTED TO BRING TO THE COMMISSION AT ITS NEXT MEETING A DRAFT REVISED *POLICY ON THE APPOINTMENT OF A PUBLIC MEMBER TO A FULL-TERM* THAT PERMANENTLY ESTABLISHES THE PROCESS BY WHICH THE COMMISSION SHALL CONDUCT ITS PUBLIC HEARINGS AND APPOINTMENTS FOR PUBLIC MEMBERS.**

b) **Adoption of FY05-06 Final Budget**

The Commission will consider a resolution adopting a final budget for Fiscal Year 2005-2006 (Government Code §56381). The proposed final budget contains one change from the preliminary budget adopted on April 4, 2005: salaries and wages were increased by \$89.10 to correct for an error in the calculation of one line item. In addition, the Commission will consider carrying over FY04-05 funds appropriated for a professional services agreement with Cotton/Bridges Associates (subject to approval of Agenda Item No. 6c).

PUBLIC HEARING HELD – NO TESTIMONY PRESENTED.

ADOPTED RESOLUTION #05-16: APPROVED: K-W-A-D-L.

THE COMMISSION ALSO APPROVED THE CARRYOVER OF FY04-05 FUNDS APPROPRIATED FOR THE COTTON/BRIDGES ASSOCIATES AGREEMENT.

8. COMMISSION ACTION ITEMS

a) **Comprehensive Study of the City of Napa: Sphere of Influence Report**

The Commission will review a report prepared as part of the *Comprehensive Study of the City of Napa* and will consider the recommendations of staff concerning an update of the City's sphere of influence. The Commission may adopt a resolution making related determinations as required by California Government Code §56425.

ADOPTED RESOLUTION #05-15: APPROVED: K-W-A-D-L

THE COMMISSION ALSO DIRECTED THE EXECUTIVE OFFICER TO SEND A LETTER TO THE CITY OF NAPA CONVEYING THE COMMISSION'S DESIRE THAT THE COUNCIL REVISIT ITS URBAN GROWTH BOUNDARY (RUL) TO ADDRESS A DISCREPANCY CONCERNING PARCEL LINES FOR KENNEDY PARK.

b) **Legislative Report**

The Commission will receive a report on bills in the California Legislature and consider adoption of positions.

REPORT RECEIVED AND FILED.

9. COMMISSION DISCUSSION

a) **Circle Oaks County Water District: Response to LAFCO Request for Strategic Plan**

Members of the Board of Directors of COCWD will present a response to a request from the Commission for submission of a strategic plan.

A STRATEGIC PLAN WAS PRESENTED BY BOB MACK, COCWD VICE-PRESIDENT. SUBSEQUENTLY, THE COMMISSION REQUESTED A PROGRESS REPORT FROM THE BOARD IN 3 MONTHS TO INCLUDE EXPECTED RESULTS FOR THE NEXT 3 MONTHS AND AT THAT POINT, A LONG-TERM TIMELINE.

- b) **Congress Valley Water District: Sphere of Influence First Reading of Recommended Update**
The Commission will review a report concerning the CVWD sphere of influence. No substantive actions are proposed.
REPORT PRESENTED. NO ACTION TAKEN.
- c) **Comprehensive Study of the Napa River Reclamation District: Service Review First Reading of Determinations**
The Commission will review an updated service review and draft determinations prepared as part of the *Comprehensive Study of the Napa River Reclamation District*. No substantive actions are proposed.
REPORT PRESENTED. NO ACTION TAKEN.
- d) **Comprehensive Study of Landscaping and Lighting Districts: Service Review**
The Commission will review a report prepared as part of the *Comprehensive Study of Landscaping and Lighting Districts*. No substantive actions are proposed.
REPORT PRESENTED. NO ACTION TAKEN.
- e) **Commission Counsel – Evaluation of Cost and Options**
The Commission will review a report evaluating the cost of counsel and options employed by other LAFCOs.
DISCUSSION HELD. STAFF TO RESEARCH OPTIONS USED BY OTHER LAFCOs AND PRESENT TO THE COMMISSION AT A LATER DATE.
- f) **LAFCO Studies: Service Reviews, Sphere of Influence Updates, and Governance Studies**
The Commission will receive an oral report about the schedule for various studies being conducted by staff, most notably its studies of sanitation/wastewater treatment providers and providers of fire prevention and protection services.
REPORT PRESENTED. NO ACTION TAKEN.
- g) **CALAFCO Annual Conference**
The CALAFCO Annual Conference is scheduled for September 7-9, 2005 in Monterey. The Commission will receive a report on anticipated topics.
REPORT PRESENTED. NO ACTION TAKEN.
- h) **LAFCO Biennial Strategic Planning Workshop**
The Commission will receive a brief presentation concerning its upcoming workshop, anticipated to occur in July 2005.
REPORT PRESENTED. NO ACTION TAKEN.

10. CLOSED SESSION
NONE.

11. INFORMATIONAL ITEMS/NEW BUSINESS/COMMISSIONER COMMENTS
NONE.

12. MEETING ADJOURNED
Meeting adjourned to Monday, August 1, 2005.

LORI LUPORINI
Chair

ATTEST:

DANIEL SCHWARZ
Executive Officer

CLERK OF THE COMMISSION

KATHY MABRY
Commission Secretary

Key

Members: **L** = Lori Luporini; **D** = Bill Dodd; **K** = Guy Kay; **A** = Dr. Andrew Alexander;
 W = Brad Wagenknecht

Alternates: **M** = Harold Moskowitz; **B** = Kevin Block; **C** = Bill Crain **K** = Brian Kelly

Notations Under Vote: **N** = No; **X** = Excused; **A** = Abstained

The making of the motion and second are reflected respectively in the order of the recorded vote.